FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

CRIMINAL APPLICATION NO.1682 OF 2006

Santosh Walu Apsunde ..Applicant
Versus
The State of Maharashtra ..Respondent

Office Notes, Office Memoranda of Coram appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

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Mr.Naveen Chomal for the applicant

Mr.Y.S.Shinde APP for the State.

Coram : R.S.Mohite,J

Date : 7.7.2006.

PC

1. This is an application for grant of bail. The applicant is shown as an accused in C.R.No.120/2005 registered by the Dindori police station, Nashik for alleged offences under Sections 498-A, 302, 323, 504 & 506 read with 34 of IPC. The deceased was one Rekha and she was married with the present applicant on 9.3.2000. The incident in question took place on 26.9.2005 at about 9.00 P.M. It appears that the police have recorded the statements of

several neighbours and they say that the deceased was sitting on the road and telling them that she was burnt and requested them to take her to the hospital. The statements indicate that when she was taken to the hospital the husband and mother-in-law were also present. Subsequently on 27.9.2005 at about 9.00 P.M. dying declaration was recorded involving the present applicant and the mother-in-law. On this basis the FIR is also recorded by the police at the hospital. None of the neighbours to whom the deceased was talking on the road side, talked about her disclosing that she was set on fire by husband and mother-in-law. There is however another circumstance that the real sister of the deceased by name Shobha Kokate was made an inquest panch. In the inquest panchanama it is however, noted that the deceased suffered 50% burns when she was cooking.

This inquest panchanama is dated 3.10.2005. The sister of the deceased then goes on in the panchanama to identify her sister. Taking an overall view, I feel that this is a case where bail can be granted. It is therefore, directed that pending his trial in pursuance of C.R.No.120/2005 registered by the Dindori police station, the applicant may be released on bail in the sum of Rs.25,000/- with one surety in the like amount subject to the condition that he will report to the investigating officer of the concerned police station once a fortnight on every 1st and 3rd Mondays till the disposal of the trial. Application stands disposed off.

(R.S.Mohite,J)